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The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Identical letters dated 30 September 2005 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I would be grateful if you could circulate the present letter and its annex as a document of the General Assembly, under agenda items 14 and 31, and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Ambassador
Permanent Representative

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Annex to the identical letters dated 30 September 2005 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

I should like to draw your attention to the provocative, hostile and dangerous statements of certain Israeli officials, affirming their determination that the occupied Syrian Golan should remain permanently in Israeli hands.

On 27 September 2005 the Israeli Minister of Defence stated that Israel should continue its settlement operations in the Golan and do whatever was necessary for industry to flourish there because the Golan would remain in Israel's hands forever.

The Israeli Prime Minister, too, recently stated that the Golan would not be returned to Syria even in exchange for total peace between the countries. The Israeli Vice-Prime Minister and Minister of Industry and Trade stated at a meeting, in which the Vice-Chairman of the Golan Settlers' Council took part, that it had been agreed that the Israeli Government would offer a package of financial and tax advantages, grants and facilities to encourage Israeli investors to settle in the Golan.

All these hostile acts and statements, which are at odds with international legitimacy and the United Nations resolutions on the occupied Syrian Golan, come at a time when the international community is hoping for a reduction of tension and the establishment of a just and comprehensive peace in the Middle East. These Israeli practices and statements amount to brazen disregard for the Charter and relevant resolutions of the United Nations, the rule of international law and international humanitarian law and the fourth Geneva Convention of 1949, under which settlement is considered a war crime.

The Security Council, in its resolution 497 (1981), reaffirms "that the acquisition of territory by force is inadmissible, in accordance with the United Nations Charter, the principles of international law, and relevant Security Council resolutions" and "decides that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect". In that resolution the Security Council "demands that Israel, the occupying Power, should rescind forthwith its decision" and "determines that all the provisions of the Geneva Convention" also "apply to the Syrian territory occupied by Israel since June 1967". In addition, the General Assembly has denounced the policies of settlement, annexation and occupation in resolutions adopted by it every year, the most recent of which were its resolutions 59/125 and 59/33, in which it expressed the international community's rejection of Israeli policies.

Israel's continued defiance of the relevant resolutions of the Security Council and the General Assembly and its occupation of the Syrian Golan and of Palestinian territory for more than 38 years can no longer be accepted. It has become imperative for the Security Council to require Israel to comply with its relevant resolutions and not to allow it to violate them and thus evade its obligations under international law.

While Israel concentrates on summoning settlers to the occupied lands and building more and more settlements there, half a million Syrian nationals forcibly

evicted from the Golan by Israel at the time of the June 1967 hostilities are determined to liberate their land and return to their homes at no matter what sacrifice and no matter how long the occupation may last. Moreover, every day the thousands of Golan natives who have remained under the Israeli occupation reaffirm their absolute allegiance to their mother country, Syria, and their rejection of the occupation with its oppressive practices and defy, with unflinching determination, the criminal practices of the Israeli occupying authorities, including Israel's continued detention of some Golan natives for more than 20 years now.

Syria asserts once again that the occupied Golan is Syrian territory that cannot be relinquished and that Israel is required under the resolutions constituting international legitimacy to withdraw from the occupied Syrian Golan to the line of 4 June 1967. The Syrian Arab Republic takes the statements by Israeli officials regarding the continuation of the occupation of the Golan forever and the building of more settlements as the latest dangerous escalation of the situation in the region and as pointing to a decision of the Sharon Government to kill the peace process and bury the relevant United Nations resolutions.

Over against Israel's defiance and rejection of a just and comprehensive peace in the Middle East, Syria has for many long years made every possible effort towards a successful outcome of the peace process in the Middle East based on the terms of reference of the Madrid Peace Conference, Security Council resolutions 242 (1967) and 338 (1973) and principle of land for peace. Syria has invited Israel to resume the principle without any conditions, bearing in mind that the relevant United Nations resolutions do not set any preconditions.

The Syrian Arab Republic entreats the international community, the Security Council and the States Members of the United Nations to condemn these Israeli policies and demand that the Israeli Government renounce its expansion, annexation and settlement policies, which cannot but lead to an escalation of tension in this sensitive region of the world. Syria calls on the Security Council to enforce the resolutions on the struggle in the Middle East without discrimination or the use of double standards.